

REMARKS

In view of the above amendments and the following remarks, the Examiner is respectfully requested to withdraw the rejections and allow 7-26 and 44-47, as well as new claims 48 and 49, the only claims pending and currently under examination in this application.

Rejection of Claims under 35 U.S.C. § 103

Claims 7-14, 16-23, 25-26 and 44-47 are rejected under 35 U.S.C. § 103(a) as being obvious over Sundberg in view of Wang, for the asserted reason that the combined teachings of these references teach a method of producing a ligand array by attaching ligands to a functionalized surface, which combined teaching assertedly renders the claimed invention obvious.

However, a feature of the pending claims is that the substrate which is contacted with the ligands in the claimed methods is one that has "**a surface displaying olefin functional groups that consist of a single site of unsaturation...**" As such, the claimed methods are limited in that the surface of the substrate employed in the claimed methods must include olefinic functional groups, i.e., functional groups that include a carbon-carbon double bond, where the functional group is further limited to one that has a single site of unsaturation, i.e., a single carbon-carbon double bond.

Both Sundberg and Wang describe functionalized surfaces in general, but fail to teach or suggest a functional group that is an **olefin that consists of a single site of unsaturation**, as required in the claims.

As such, the combined teaching of Sundberg and Wang fails to teach or suggest the claimed methods. Accordingly, Claims 7-14, 16-23, 25-26 and 44-47 are not obvious under 35 U.S.C. § 103(a) over Sundberg in view of Wang and this rejection may be withdrawn.

Next, Claims 7, 15-16 and 24 are rejected under 35 U.S.C. § 103(a) as being obvious over Sundberg in view of Wang, and further in view of Gleason.

As explained above, a feature of the pending claims is that the substrate which is contacted with the ligands in the claimed methods is one that has "**a surface displaying olefin functional groups that consist of a single site of unsaturation...**" As such, the claimed methods are limited in that the surface of the substrate employed in the claimed methods must include olefinic functional groups, i.e., functional groups that include a carbon-carbon double bond, where the functional group is further limited to one that has a single site of unsaturation, i.e., a single carbon-carbon double bond.

Both Sundberg and Wang describe functionalized surfaces in general, but fail to teach or suggest a functional group that is an **olefin which consists of a single site of unsaturation**, as required in the claims. Gleason also fails to teach or suggest a functional group that is an **olefin that consists of a single site of unsaturation**, as required in the claims.

As such, the combined teaching of Sundberg and Wang in view of Gleeson fails to teach or suggest the claimed methods. Accordingly, Claims 15-16 and 24 are not obvious under 35 U.S.C. § 103(a) over Sundberg in view of Wang and further in view of Gleeson and this rejection may be withdrawn.

Finally, Claims 7, 14, 16 and 23 have been rejected under the judicially created doctrine of obviousness type double patenting over Claims 1 and 6-8 of Issued Patent 6,319,674 in view of Wang. In view of the enclosed Terminal Disclaimer, this rejection may be withdrawn.

**CONCLUSION**

The applicant respectfully submits that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone Gordon Stewart at 650 485 2386. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-1078.

Respectfully submitted,

Date: March 20, 2003

By:

  
Bret Field  
Registration No. 37,620

enc:

- Terminal Disclaimer over Issued Patent 6,319,674